

Docket No.: 031948-3
Application Serial No.: 10/693,903
Page 7

REMARKS

The Official Action dated July 19, 2007 has been received and its contents carefully noted. In view thereof, claims 13 and 14 have been amended in order to more clearly define that which Applicant regards as the invention. As previously, claims 2-21 are presently pending in the instant application.

Initially, Applicant wishes to acknowledge the Examiner's indication on page 5 of the Office Action that claims 2-13 would be allowable if rewritten or amended to overcome the objections set forth in the Office Action while claims 20 and 21 have been objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all the limitations of the base claim and any intervening claims. In this regard, with the foregoing amendments, it is respectfully submitted that not only claims 2-13, 20 and 21 are in proper condition for allowance, but claims 14-19 are likewise believed to be in proper condition for allowance.

With reference now to paragraph 2 of the Office Action, claims 2-21 have been objected as including minor informalities. Particularly, with respect to claims 13 and 14 the Examiner has suggested that the recitation "the selected clock" set forth on line 9 be changed to "a selected clock". In this regard, as can be seen from the foregoing amendments, claims 13 and 14 have been amended to include reference to a selected clock. Accordingly, it is respectfully submitted that Applicants' claimed invention is now in proper formal condition for allowance.

Turning now to paragraph 3 of the Office Action, claims 14-19 have been rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 6,348,823 issued to Pan. This rejection is respectfully traversed in that the patent to Pan neither discloses nor suggests that which is presently set forth by Applicant's claimed invention.

Docket No.: 031948-3
Application Serial No.: 10/693,903
Page 8

As can be seen from the foregoing amendments, independent claim 14 has been amended to include features which are neither disclosed in nor suggested by the prior art of record. For consistency, independent claim 13 has been amended in a similar manner.

Particularly, independent claim 14 recites a phase adjustment circuit that receives a first pair of clock signals and outputs a second pair of clock signals with phases satisfying a predetermined condition to a central processing unit, comprising a clock proliferator that receives a first clock signal and generates a plurality of clock signals therefrom, a clock selector that receives said plurality of clock signals from the clock proliferator, selects one of the received plurality of clock signals in accordance with a selection signal, and outputs a selected clock signal, and a phase difference detector that receives the selected clock signal and a second clock signal differing in frequency from the first clock signal and the selected clock signal, determines whether the phase of the second clock signal and the phase of the selected clock signal satisfy the predetermined condition, and outputs a detection signal indicating whether the predetermined condition is satisfied. The first clock signal and the second clock signal constituting the first pair of clock signals and the second clock signal and the selected clock signal constituting the second pair of clock signals, wherein the selected clock signal has a higher frequency than the second clock signal, and the predetermined condition specifies that all rising and falling edges of the second clock signal occur while the selected clock signal is high. Similarly, claim 13 recites that the selected clock signal has a lower frequency than the second clock signal, and the predetermined condition specifies that all rising and falling edges of the selected clock signal occur while the second clock signal is high. It is respectfully submitted that the patent to Pan clearly fails to disclose or suggest these features.

Support for Applicant's invention as now claimed can be found in Applicant's specification at pages 4 and 7. Particularly, with respect to independent claim 13, lines 18 and 19 of page 4 recite with the rising and falling edges of clock signal CKX occurring while clock signal CK1 is high. Consequently, in that it is stated on page 6 of Applicant's specification, that if even one rising or falling edge of the selected clock signal (CKX) occurs while the selected clock signal (CK1) is low, the necessary condition is not satisfied. Accordingly, as recited in Applicant's claimed invention, the predetermined condition

Docket No.: 031948-3
Application Serial No.: 10/693,903
Page 9

specifies that all rising and falling edges of the selected clock signal occur while the second clock signal is high. Similarly, with respect to independent claim 14, page 7 of Applicant's specification notes that satisfying the conditions that the rising and falling edges of the clock signal CK1 occur while the clock signal CKX is high. As with the discussion above, Applicant's specification goes on to state on pages 7, 8 and 9 that the occurrence of even one rising or falling edge of CK1 while CKX is low causes a flip-flop output to go low and a detection signal (DET) to go high, indicating that the condition is not satisfied. Consequently, it is respectfully submitted that Applicant's claimed invention as currently set forth in independent claims 13 and 14 are properly supported by Applicant's specification.

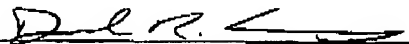
With respect to the teachings of Pan, it is noted from the Office Action and particularly page 3 thereof, that the Examiner appears to interpret that the predetermined condition specifies that "at least some" rising and falling edges of the second clock signal occur while the selected clock signal is high. Consequently, with the foregoing amendments independent claim 14 now recites that the predetermined condition specifies that all rising and falling edges of the second clock signal occur while the selected clock signal is high. Clearly, the patent to Pan fails to disclose or remotely suggest that the predetermined condition specifies that all rising and falling edges of the second clock signal occur while the selected clock signal is high. Consequently, it is respectfully submitted that Applicant's claimed invention as set forth in independent claim 14 as well as those claims which depend therefrom clearly distinguishes over the teachings of Pan and is in proper condition for allowance.

Therefore, in view of the foregoing it is respectfully requested that the objections and rejections of record be reconsidered and withdrawn by the Examiner, that claims 2-13, 20 and 21 again be indicated as allowable over the prior art of record, that claims 14-19 likewise be indicated as being allowable over the prior art of record and that the application be passed to issue.

Docket No.: 031948-3
Application Serial No.: 10/693,903
Page 10

Should the Examiner believe a conference would be of benefit in expediting the prosecution of the instant application, he is hereby invited to telephone counsel to arrange such a conference.

Respectfully submitted,


Donald R. Studebaker
Reg. No. 32,815

Nixon Peabody LLP
401 9th Street N.W.
Suite 900
Washington, D. C. 20004
(202) 585-8000